

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ORDER

The Court is in receipt of the parties' joint motion to amend the case management order. The parties have sought and received substantial extensions of various case management deadlines in the past. The current motion seeks even more substantial extensions, of up to seven months. The proffered reason for the motion is the temporary unavailability of defendant's principal, for approximately three months through August, due to a serious medical condition. Although such a circumstance appears to be a valid basis for reasonable extensions, it is not shown to support certain of the extensions requested (such as the extension of plaintiff's deadline for disclosing its experts) or the length of some of the extensions requested (such as a seven-month extension of the discovery deadline into February of next year). Referral to mediation, particularly one as protracted

as the referral in this case, is never considered by the Court to justify cessation of all efforts at discovery progress.

Upon careful consideration, the Court will grant the instant motion in part and deny it in part, affording the parties what the Court believes is reasonable relief under the circumstances presented.

Accordingly,

IT IS HEREBY ORDERED that the parties' joint motion to amend case management order [Doc. #21] is granted in part and denied in part, as follows.

IT IS FURTHER ORDERED that:

The reference to alternative dispute resolution shall terminate on September 30, 2005.

Plaintiff shall disclose all expert witnesses and the reports required by Rule 26(a)(2), and shall make expert witnesses available for depositions no later than July 15, 2005.

Defendant shall disclose all expert witnesses and the reports required by Rule 26(a)(2), and shall make expert witnesses available for depositions no later than September 15, 2005.

The parties shall complete all discovery in this case no later than October 20, 2005.

Any motions to dismiss, motions for summary judgment or motions for judgment on the pleadings must be filed no later than November 15, 2005.

This action is reset for a **JURY** trial on the two-week docket commencing **March 20, 2006.**

Dated this 2nd day of June, 2005.

/s/ Donald J. Stohr
UNITED STATES DISTRICT JUDGE